

Respectfully submitted,
K.D. PHILLIPS LAW FIRM, PLLC

By: /s/ Kerri Phillips
Kerri Phillips
Texas Bar No. 24065906
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Plano, Texas 75024
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For Service of Filings:
notice@KDphillipslaw.com

ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I certify that the true and correct copy of this document was sent to all counsel of record, hereunder listed via ECF Filing **on this the 25th day of September 2023.**

/s/ Kerri Phillips
Kerri Phillips, Esq.

Jeffrey Bartos
Guerrieri, Bartos, & Roma, P.C.
1900 M Street, NW, Suite 700
Washington, DC 20036
Tel: (202) 624-7400; Fax: (202) 624-7420
Email: jbartos@geclaw.com

Charlette Matts
In-House Counsel for APFA
1004 West Euless Blvd
Euless, TX 76040
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James Sanford
4803 Gaston Avenue
Dallas, TX 75249-1020
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Michael Rake
PO Box 1556
Lake Dallas, TX 75065-1556
Tel: (940) 498-2103 Fax: (940) 498-2103
Email: mrake1@mrakeattorney.com

From: [Jeff Bartos](#)
To: [Kerri Phillips](#)
Cc: [Charlette Matts](#); [James Sanford](#); [Michael Rake](#); [Hal O'Neil](#); [Bill Osborne](#); [Sanford R. Denison](#)
Subject: Re: Ross and Vargas Depositions
Date: Saturday, September 23, 2023 2:02:07 PM
Attachments: [image001.png](#)

Kerri,

This will address your requests to conference regarding potential motions

1. We would oppose the proposed motion to quash or for a protective order regarding the Ross and Vargas depositions.
2. Regarding the pending motion to compel, I should be able to discuss next week a proposed resolution regarding both the subpoena to the Woods, Stephens and O'Neil firm and the first set of requests for production.

With respect to the requests made of APFA, and as you have asked, we will re-produce the various requested insurance agreements (which you already have), and also shortly provide documents which will address at least some of the issues you raised regarding the production to date. I will also follow up with you regarding whether we will be representing the O'Neil firm early in the week.

3. Regarding a second motion to compel, which I take to deal with the responses to the more recent requests for production, we are working on a supplemental production. I will follow up early in the week on that as well.

Jeff

From: Kerri Phillips <Kerri@KDphillipslaw.com>
Sent: Friday, September 22, 2023 3:44 PM
To: Jeff Bartos <jbartos@geclaw.com>
Cc: Charlette Matts <cmatts@apfa.org>; James Sanford <jim@gillespiesanford.com>; Michael Rake <mrake1@mrakeattorney.com>; Hal O'Neil <oneil@woodcpafirm.com>; Bill Osborne <b.osborne@osbornelaw.com>; Sanford R. Denison <denison@baabdenison.com>
Subject: RE: Ross and Vargas Depositions

Jeff,

First of all, I do not agree with your version of the facts—I told you that the clients were available *virtually*. Furthermore, you moved the dates you requested prior to serving notice, and then simply informed me you planned to serve notice. At no point did you inquire as to whether I had objections, you simply made the statement that you were going to serve notice and that was it. I did not agree, consent, nor concede to the depositions. I did not have time to even inform my clients that you had solidified a

date to conduct depositions before they were sent to me and their schedules locked. This was a unilateral move made by you alone, without any mutual consent on the dates, times, place, or manner. Clearly, you received notice of my latest objections in response to the notices of depositions—I put you and the court on notice of my concerns.

Conference on Motion to Quash and Protective Order: I will be filing a motion to quash the depositions and for a protective order to prevent depositions until such time as the APFA National Officer elections are concluded. For purposes of conference, please advise if your clients agree or oppose my motion.

Conference on Amendment to Motion to Compel: Finally, I will ask you again: at what point do you plan to turn over the discovery you are withholding? Even those documents you agreed to turn over, you continually fail to do so i.e. the insurance documents. I will remind you that just because RLI turned over those insurance policies, this does not alleviate your client's duty to turn over those documents in discovery as well.

Conference on Second Motion to Compel Discovery: Additionally, multiple communications have been withheld. I will be filing a second motion to compel the discovery of the second requests for production on both cases, and will need to advise on whether you agree or oppose that motion as well.

Legal Representation of Woods, Stephens, O'Neil, LLP – This will be the final time I request confirmation as to whether you do or do not represent Mr. O'Neil. I have attached him to this email so he may respond to this question as well. At this point, I am putting you and he, as well as his prior counsel, on notice that I have made multiple attempts to resolve these issues regarding the subpoena served on Woods, Stephens, and O'Neil, LLP. Without confirmation as to who does and does not represent Mr. O'Neil I will have to inform the court that my many requests for conference continue to be ignored.

Please advise as soon as possible.



Kerri Phillips
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recommending to another person any transaction or matter addressed herein, within the meaning of IRS Circular 230.

From: Jeff Bartos <jbartos@geclaw.com>

Sent: Thursday, September 21, 2023 8:54 AM

To: Kerri Phillips <Kerri@KDphillipslaw.com>

Cc: Charlette Matts <cmatts@apfa.org>; James Sanford <jim@gillespiesanford.com>; Michael Rake <mrake1@mrakeattorney.com>

Subject: Ross and Vargas Depositions

Kerri,

This is to follow up with you regarding the depositions of Mr. Ross and Mr. Vargas, which have been noticed for October 25 and 26, and is an effort to avoid judicial involvement in what should be a routine scheduling issue.

In light of your filing of a "Notice of Objection" in both cases on Tuesday evening, and the representations therein, I want to respond to you before filing my response with the Court.

To recapitulate how the two depositions came to be noticed, I sent you an email on August 31 advising that I wanted to arrange deposition dates for your clients, and suggested eight different dates in October for the depositions. You did not respond until I sent a follow up email on September 6. That same day you wrote that you had "inquired with my clients about the week of October 24-26," and after an exchange of emails about dates for other depositions, you confirmed on September 12 that "**My clients are available on ... October 24-26.**" We had a phone call on September 15 in which discussed whether depositions would be in person or by zoom, and that same day I issued notices of deposition.

Regarding the issue of in-person vs. remote conduct of the depositions, I advised you back on September 8 that APFA would be willing to an arrangement in which you participated remotely while preserving our right to depose Mr. Ross and Mr. Vargas in person. Your only objection to that was that "My clients are not comfortable" with such an arrangement.

As noted, I served the deposition notices on September 15 and reiterated that we were amenable to make any arrangement needed for your participation by remote means if necessary.

The next I heard anything about the depositions was your filing on September 19 of a "Notice of Objection" in both cases. I don't believe such a document is contemplated under the Federal Rules, but in any event, in these documents you advise the Court that Mr. Ross "will be out of the country" for work and is "unable to request adjustment in his schedule." You also advise that Mr. Vargas "is scheduled for a medical procedure which requires his sedation." Notably, you never advised me of either of those conflicts before your court filing.

In addition, you inexplicably assert that "APFA ... waited out the discovery period before seeking to confer and ultimately demanded depositions of Plaintiff, now noticed for the final week of the discovery period." As the email record confirms, this assertion is erroneous in many respects.

With all that being said, and in an effort to move this case forward under the Court's order, **this is to offer that the depositions of Mr. Ross and Mr. Vargas be rescheduled to two consecutive days in the October 17-19 time frame.** Please let me know as soon as possible if that is acceptable to you.

We will be responding to your latest filing in due course.

Thank you,

Jeff

*Jeffrey A Bartos
Guerrieri Bartos & Roma PC
1900 M Street, NW
Suite 700
Washington, DC 20036
202-624-7400*

www.geclaw.com

From: [Kerri Phillips](#)
To: [Jeff Bartos](#); [Michael Rake](#)
Cc: [Charlette Matts](#); [James Sanford](#)
Bcc: [Adam Phillips](#); [Stephanie Lewis](#)
Subject: RE: Ross and Vargas deposition dates
Date: Wednesday, September 13, 2023 9:52:00 AM
Attachments: [image001.png](#)

We can talk Friday at noon if that works for you—extension's below.

Thank you,



Kerri Phillips
KD Phillips Law Firm, PLLC
Phone: 972-327-5800 ext. 1001
Fax: 940-400-0089
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From: Jeff Bartos <jbartos@geclaw.com>
Sent: Wednesday, September 13, 2023 9:20 AM
To: Kerri Phillips <Kerri@KDphillipslaw.com>; Michael Rake <mrake1@mrakeattorney.com>
Cc: Charlette Matts <cmatts@apfa.org>; James Sanford <jim@gillespiesanford.com>
Subject: Re: Ross and Vargas deposition dates

Thanks for the email Kerri. I am fairly tied up today, but will follow up tomorrow. Regarding the motion to extend and motion to compel, I think I phone call might be helpful if you are available.

Jeff

From: Kerri Phillips <Kerri@KDphillipslaw.com>
Sent: Tuesday, September 12, 2023 10:38 PM
To: Jeff Bartos <jbartos@geclaw.com>; Michael Rake <mrake1@mrakeattorney.com>
Cc: Charlette Matts <cmatts@apfa.org>; James Sanford <jim@gillespiesanford.com>
Subject: RE: Ross and Vargas deposition dates

Jeff,

Depositions: My clients are available for depositions on those dates you requested, October 24-26 virtually. In all fairness, I do not see any reason why my clients should be deposed first. My clients are not comfortable being deposed in-person without their counsel present. If you insist on in-person depositions, then I'd have to insist on letting the judge decide this issue.

Conference on Motion to Extend Deadlines and Amend Complaint: I will be moving the court to extend the scheduling order deadlines to amend and join additional parties. If you are agreed to this motion, I can include a request to extend discovery and dispositive motion deadlines. For purposes of conference, please indicate whether you are in agreement or in opposition to the filing of a motion extend the deadlines to amend and for joinder of additional parties, as well as my motion to amend Plaintiff's complaint to join the additional officers.

If the order is granted, we can consider moving depositions out to a time and place that is more agreeable to both of our clients.

Motion to Compel Conference: Finally, I want to address the issues involving discovery, as I'm sure you know, the court entered orders on both cases last week that additional conference is needed before the matters on Plaintiff's Motions to Compel will be heard. As I have stated to you previously, we are requesting (1) the insurance documents, (2) the documents and communications to and from Woods, Stephens and O'Neil since April 1, 2016, and (3) those documents and communications between APFA officials that contain any communications or documents from Woods Stephens and O'Neil, LLP regarding the Ross Administration, meaning Bob Ross, Nena Martin, Marcy Dunaway, and Eugenio Vargas. Please advise if you are able to or willing to provide these documents without redactions.

Thank you,



Kerri Phillips

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Phone: 972-327-5800 ext. 1001

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From: Jeff Bartos <jbartos@geclaw.com>

Sent: Friday, September 8, 2023 8:29 AM

To: Kerri Phillips <Kerri@KDphillipslaw.com>; Michael Rake <mrake1@mrakeattorney.com>

Cc: Charlette Matts <cmatts@apfa.org>; James Sanford <jim@gillespiesanford.com>

Subject: Re: Ross and Vargas deposition dates

Kerri,

In fairness, I think it appropriate for your clients to be deposed first, and suggest we look at October 17-19 for them, and then October 24-26 for the depositions you identified.

I will verify Ms. Hedrick's and Mr. Harris' schedule, but believe the 10/24-26 dates will work. Ms. Chinery-Burns is not an APFA employee and I cannot speak to her schedule or ensure her availability absent a subpoena (or her consent).

Regarding the format for the deposition, I strongly prefer to take your client's deposition in person. I respect your situation and would suggest we might utilize a court reporting service which can accommodate myself, my clients, and the witness and in one room, and also manage your participation remotely. Would that be acceptable to you? With respect to your client's situations, I confess I don't understand the issue regarding their schedules- -their American Airlines flight attendant schedules are not yet set for October and they are fully capable of blocking out dates as needed in the bidding process (or trading trips later).

I have no objection to your deposing any witnesses using zoom.

Please let me know your thoughts on this proposal.

Thank you,

Jeff

From: Kerri Phillips <Kerri@KDphillipslaw.com>

Sent: Wednesday, September 6, 2023 3:01 PM

To: Jeff Bartos <jbartos@geclaw.com>; Michael Rake <mrake1@mrakeattorney.com>

Cc: Charlette Matts <cmatts@apfa.org>; James Sanford <jim@gillespiesanford.com>

Subject: RE: Ross and Vargas deposition dates

Jeff,

I have inquired with my clients about the week of October 24-26, however I'd like to request these via zoom based on my client's need to work during the week. Furthermore, I live with a family member

currently battling leukemia and with the rise of Covid currently, I'd like to avoid as much in-person interaction as possible.

Finally, I'd also like to request dates of availability during October for Mr. Harris, Ms. Hedrick, and Ms. Chinery-Burns for depositions.

Thank you,



Kerri Phillips

KD Phillips Law Firm, PLLC

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From: Jeff Bartos <jbartos@geclaw.com>

Sent: Wednesday, September 6, 2023 12:23 PM

To: Kerri Phillips <Kerri@KDphillipslaw.com>; Michael Rake <mrake1@mrakeattorney.com>

Cc: Charlette Matts <cmatts@apfa.org>; James Sanford <jim@gillespiesanford.com>

Subject: Re: Ross and Vargas deposition dates

Kerri,

Just following up on this regarding setting up deposition dates for Mr. Ross and Mr. Vargas.

Thanks,

Jeff

From: Jeff Bartos

Sent: Thursday, August 31, 2023 4:26 PM

To: Kerri Phillips <Kerri@KDphillipslaw.com>; Michael Rake <mrake1@mrakeattorney.com>

Cc: Charlette Matts <cmatts@apfa.org>; James Sanford <jim@gillespiesanford.com>

Subject: Ross and Vargas deposition dates

Kerri,

I'd like to arrange the dates for our depositions of Mr. Ross and Mr. Vargas.

I think it would be in all our interests to have them on 2 consecutive days, and propose any of the following which might fit with your and their schedule, as well as Mike Rake's schedule with respect at least to Mr. Ross:

October 3-4, 17-19, or 24-26.

If you could let me know which days might work on your end, we can then issue formal Notices.

I should add that since they will not be bidding October flight schedules until mid-September, there should not be any work schedule conflicts at this point.

Thank you,

Jeff

Jeffrey A Bartos

Guerrieri Bartos & Roma PC

1900 M Street, NW

Suite 700

Washington, DC 20036

202-624-7400

www.geclaw.com

From: [Jeff Bartos](#)
To: [Kerri Phillips](#)
Cc: [Charlette Matts](#); [James Sanford](#); [Michael Rake](#)
Subject: Ross / Vargas - Deposition Notices
Date: Friday, September 15, 2023 12:38:03 PM
Attachments: [Notice of Deposition - Vargas.pdf](#)
[Notice of Deposition- Ross.pdf](#)

Kerri,

Attached please find Notices of Deposition for Mr. Ross and Mr. Vargas. As we just discussed, we are amenable to making any arrangement needed for your participation by remote means if you wish, but do need to have the witnesses present in person.

Jeff

*Jeffrey A Bartos
Guerrieri Bartos & Roma PC
1900 M Street, NW
Suite 700
Washington, DC 20036
202-624-7400*

www.geclaw.com

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

ROBERT (BOB) ROSS,	§	
	§	
	§	
Plaintiff/Counterclaim Defendant,	§	Civil Action No. 4:22-cv-343-Y
	§	
v.	§	Judge Terry R. Means
	§	
ASSOCIATION OF PROFESSIONAL	§	
FLIGHT ATTENDANTS, <i>et al.</i> ,	§	
	§	
Defendants/Counterclaim Plaintiff.	§	

NOTICE OF DEPOSITION - BOB ROSS

PLEASE TAKE NOTICE that counsel for Defendants Association of Professional Flight Attendants, Julie Hedrick and Erik Harris will take the deposition of Plaintiff Robert (“Bob”) Ross upon oral examination, under oath before a notary public duly licensed in the State of Texas on Wednesday, October 25, 2023 beginning at 10:00 a.m. at the following location:

Gillespie Sanford LLP
4803 Gaston Ave.
Dallas, TX 75246

The deposition will be conducted pursuant to Rule 30 of the Federal Rules of Civil Procedure, for all purposes permissible under those Rules. Testimony will be recorded by stenographic means.

Dated: September 15, 2023

/s/ Jeffrey A. Bartos

JEFFREY A. BARTOS (*pro hac vice*)

D.C. Bar No. 435832

Guerrieri, Bartos & Roma, PC

1900 M Street, N.W. Suite 700

Washington, DC 20036

Tel.: (202) 624-7400; Fax: (202) 624-7420

Email: jbartos@geclaw.com

JAMES D. SANFORD

Tex. Bar No. 24051289

Gillespie Sanford LLP

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Tel.: (214) 800-5111; Fax.: (214) 838-0001

Email: jim@gillespiesanford.com

*Counsel for Defendant and Counterclaim Plaintiff
Association of Professional Flight Attendants, and
Defendants Julie Hedrick and Erik Harris*

CHARLETTE L. MATTS (*pro hac vice*)

Tex. Bar No. 24133870

Association of Professional Flight Attendants

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Euless, TX 76040

Tel.: (682) 301-8454

Email: Cmatts@apfa.org

*Counsel for Defendant and Counterclaim Plaintiff
Association of Professional Flight Attendants*

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

EUGENIO VARGAS,

Plaintiff/Counterclaim Defendant,

v.

ASSOCIATION OF PROFESSIONAL
FLIGHT ATTENDANTS, *et al.*,

Defendants/Counterclaim Plaintiff.

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Civil Action No. 4:22-cv-430-Y

Judge Terry R. Means

NOTICE OF DEPOSITION - EUGENIO VARGAS

PLEASE TAKE NOTICE that counsel for Defendants Association of Professional Flight Attendants, Julie Hedrick and Erik Harris will take the deposition of Plaintiff Eugenio Vargas upon oral examination, under oath before a notary public duly licensed in the State of Texas on Thursday, October 26, 2023, beginning at 10:00 a.m. at the following location:

Gillespie Sanford LLP
4803 Gaston Ave.
Dallas, TX 75246

The deposition will be conducted pursuant to Rule 30 of the Federal Rules of Civil Procedure, for all purposes permissible under those Rules. Testimony will be recorded by stenographic means.

Dated: September 15, 2023

/s/ Jeffrey A. Bartos
JEFFREY A. BARTOS (*pro hac vice*)
D.C. Bar No. 435832
Guerrieri, Bartos & Roma, PC
1900 M Street, N.W. Suite 700
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Tel.: (202) 624-7400; Fax: (202) 624-7420
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JAMES D. SANFORD
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Gillespie Sanford LLP
4803 Gaston Ave.
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Tel.: (214) 800-5111; Fax.: (214) 838-0001
Email: jim@gillespiesanford.com

*Counsel for Defendant and Counterclaim Plaintiff
Association of Professional Flight Attendants, and
Defendants Julie Hedrick and Erik Harris*

CHARLETTE L. MATTS (*pro hac vice*)
Tex. Bar No. 24133870
Association of Professional Flight Attendants
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Euless, TX 76040
Tel.: (682) 301-8454
Email: Cmatts@apfa.org

*Counsel for Defendant and Counterclaim Plaintiff
Association of Professional Flight Attendants*

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FT. WORTH DIVISION

ROBERT "BOB" ROSS
Plaintiff/Counterclaim Defendant

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ASSOCIATION OF
PROFESSIONAL FLIGHT
ATTENDANTS, MCGAUGHEY,
REBER AND ASSOCIATES,
INC., JULIE HEDRICK, ERIK
HARRIS
Defendants/Counterclaim Plaintiff.

Case No. 4:22-CV-00343-Y

EUGENIO VARGAS
Plaintiff/Counterclaim Defendant

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ASSOCIATION OF
PROFESSIONAL FLIGHT
ATTENDANTS, JULIE HEDRICK,
ERIK HARRIS
Defendants/Counterclaim Plaintiff.

Case No. 4:22-CV-00430-Y

AFFIDAVIT OF KERRI PHILLIPS IN SUPPORT OF
MOTION FOR PROTECTIVE ORDER

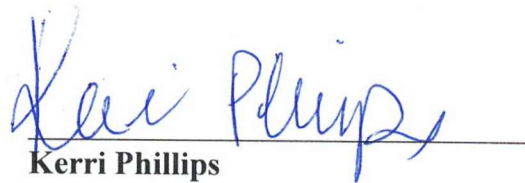
BEFORE ME, the undersigned authority, on this day personally appeared Kerri Phillips, who
being by me first duly sworn, did state:

1. "I am counsel for Plaintiff in the above-referenced cases. I am over 21 years of age
and of sound mind and body to make this affidavit and have personal knowledge
of the following facts:

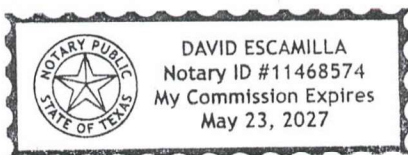
a. All facts contended in this pleading are true and correct.


- b. In 2015 my husband was diagnosed with Chronic Lymphocytic Leukemia/Lymphoma. Attached hereto is a copy of his Bone Marrow Biopsy that confirmed the diagnosis of Chronic Lymphocytic Leukemia. On August 10, 2023, I accompanied my husband to his oncology appointment, where his hematologist advised us that our family should limit exposure until the end of the year based on expected rise in the spread of COVID-19 and the release of the updated COVID-19 vaccination on September 14, 2023.
- c. On September 24, 2023, I was contacted by an APFA union member who belongs to Melissa Chinery-Burns's Facebook Group and had concerns about her influence on the APFA elections based on a Facebook statement she made on the same date. This APFA union member feared retaliation and sought legal advice about this issue if she were to file a complaint. I was granted access to this APFA union member's Facebook login, where I retrieved pictures of statements made by Melissa Chinery-Burns. Attached hereto and incorporated herein is a true and correct copy of the pictures I retrieved.

FURTHER AFFIANT SAYETH NOT.


Kerri Phillips

SWORN AND SUBSCRIBED TO before me on this 25 day of September, 2023.




Notary Public, State of Texas



Veripath Laboratories

2330 Inwood Road, Suite EB3.304
Dallas, TX 75390
www.veripathlabs.com

Customer Service: 214-645-7057
FAX: 214-648-0952

Redacted
Name: **PHILLIPS,** **Redacted**

DOB: **Redacted** Age: **Redacted**
PSL#: **Redacted** Gender: **Redacted**
Accession#: **Redacted** Race: **Redacted**

HEMATOPATHOLOGY FINAL REPORT

Referring Institution:
Seay NC Cancer Center
Referring Physician: **Dr. Collins**

Collection Date: **6/10/2015**
Received Date: **9/23/2015**
Report Date: **9/29/2015 4:50 PM**
Referral ID: **90726970**

Clinical History / Supplemental Diagnosis:

Redacted year old male with chronic lymphocytic leukemia

Gross Description:

A. Received for review are 11 glass slides labeled with outside accession number P15-3760.

Diagnosis:

A. PERIPHERAL BLOOD, BONE MARROW ASPIRATE, CLOT SECTION, AND BIOPSY (P15-3760, TEXAS HEALTH PRESBYTERIAN HOSPITAL OF PLANO, PLANO, TEXAS 75093, 06/10/2015):
- CHRONIC LYMPHOCYTIC LEUKEMIA/SMALL LYMPHOCYTIC LYMPHOMA INVOLVING A NORMOCELLULAR BONE MARROW (SEE COMMENT).

Comment:

This is a 40% cellular bone marrow with trilineage hematopoiesis and involvement by a CD5(+) low grade B-cell lymphoproliferative process. The overall level of involvement is difficult to determine. A 500 cell differential count on the aspirate shows 56% atypical lymphocytes, while CD20 immunohistochemical stain on the clot section and core biopsy shows only 5% involvement by neoplastic cells. The overall findings are consistent with chronic lymphocytic leukemia. The discrepancy in the degree of involvement is likely due to sampling. Correlation with clinical findings is recommended.

Redacted

Electronically Signed by: Hung Luu, M.D.

Pathologist: Huna Luu. M.D.



Veripath Laboratories

2330 Inwood Road, Suite EB3.304
Dallas, TX 75390
www.veripathlabs.com

Customer Service: 214-645-7057
FAX: 214-648-0952

Redacted

Name: **PHILLIPS,**

Redacted

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Age:

Redacted

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Redacted

Gender:

Redacted

Accession#:

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Race:

Redacted

HEMATOPATHOLOGY FINAL REPORT

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HEMATOPATHOLOGY FINAL REPORT

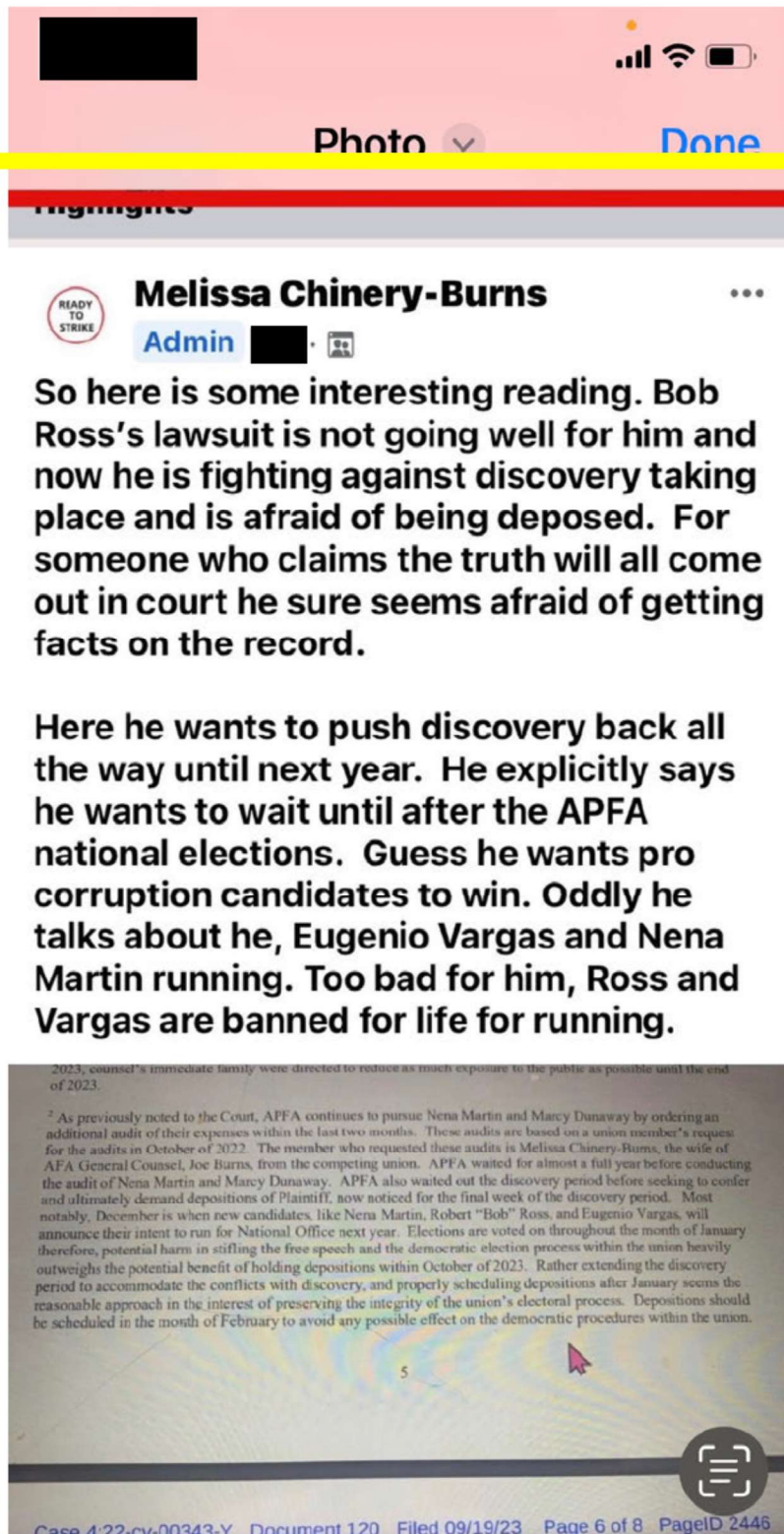
Redacted

FDA disclaimer

Any immunohistochemical or in-situ hybridization tests used for this evaluation were developed and their performance characteristics determined by the UT Southwestern and/or Parkland Memorial Hospital Immunohistochemistry Laboratory. It may or may not have been cleared or approved by the U.S. Food and Drug Administration. The FDA has determined that such clearance or approval is not necessary. This test is used for clinical purposes. It should not be regarded as investigational or for research. This laboratory is certified under the Clinical Laboratory Improvement Amendments of 1988 (CLIA) as qualified to perform high complexity clinical laboratory testing.

Electronically Signed by: Hung Luu, M.D.

Pathologist: Huna Luu. M.D.



**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FT. WORTH DIVISION**

ROBERT “BOB” ROSS
Plaintiff/Counterclaim Defendant

Case No. 4:22-CV-00343-Y

**ASSOCIATION OF
PROFESSIONAL FLIGHT
ATTENDANTS, MCGAUGHEY,
REBER AND ASSOCIATES, INC.,
JULIE HEDRICK, ERIK HARRIS,
LARRY SALAS, JOSH BLACK
Defendants/Counterclaim Plaintiff.**

EUGENIO VARGAS
Plaintiff/Counterclaim Defendant

Case No. 4:22-CV-00430-Y

**ASSOCIATION OF
PROFESSIONAL FLIGHT
ATTENDANTS, JULIE HEDRICK,
ERIK HARRIS, LARRY SALAS,
JOSH BLACK
Defendants/Counterclaim Plaintiff.**

**AFFIDAVIT OF HEIDI MORGAN IN SUPPORT OF
MOTION FOR PROTECTIVE ORDER**

BEFORE ME, the undersigned authority, on this day personally appeared Heidi Morgan, who
being by me first duly sworn, did state:

1. “I am employed as a flight attendant working with American Airlines, Inc. since 1986, and I am currently serving as the Association of Professional Flight Attendant (“APFA”) Miami Base Vice-President. I have personal knowledge of the facts contained herein, I am 21 years or older and of sound mind to make these

statements.

- a. On or about June 2015, Melissa Chinery sought my assistance in filing a Notice of Dispute against Kim Kaswinkle, Philadelphia Base President. The Notice of Dispute system is internal process for filing grievances against American Airlines, Inc. under the Collective Bargaining Agreement. Melissa Chinery sought my assistance through a colleague, Kiri Wirth. In a telephone conversation, I discovered Ms. Chinery's intent was to use the Notice of Dispute system to file a complaint for a dispute based on union representation. I did not work for the APFA union and informed her of this fact. After speaking with her, I discovered she wanted to use the Notice of Dispute system for purposes of complaining against her Base President Kim Kaswinkle. When I inquired about her motivation, I realized the complaint was not within the guidelines of filing a complaint with the company based on political motivations and advised her of this. This was my opinion as a fellow union member, who held substantial knowledge of the complaint process.
- b. On or about May of 2020, I was informed by a former AFA representative, Roger Holmin, that APFA Union Member, Melissa Chinery, and AFA General Counsel, Joe Burns, were engaged to be married. I was never informed of this engagement in my capacity as a Union Representative.
- c. On or about May of 2020, I sent a letter to the APFA Board of Directors after I spoke to the APFA National President Julie Hedrick and told her that I had concerns about APFA hiring AFA Joe Burns, General Counsel to represent APFA in negotiations of the APFA Collective Bargaining Agreement with

American Airlines, Inc. as I felt this was a conflict of interest as Mr. Burns was not an independent attorney, but one employed by a competing union. I felt this created a conflict of interest as AFA had a history of attempting mergers with APFA in the past and that his motivations would be to weaken APFA so that APFA would merge with AFA. My concern was that Mr. Burns's dual representation of the two unions posed a conflict of interest because counsel for AFA would benefit from weakening the American Airlines, Inc. Flight Attendants union by achieving less advantageous employment terms for the Flight Attendants. This would cause frustration by the membership of APFA and encourage the membership to vote to join AFA. Ms. Hedrick informed me that she did not care about my concerns and that Mr. Burns would be hired to represent APFA.

- d. On June 3, 2020, I decided to post a public statement onto Facebook within an American Airlines, Inc. Flight Attendants page and state my concerns for the use of AFA General Counsel, Joe Burns as counsel for APFA ("Facebook Statement"). In this Facebook Statement, I included a true and correct copy of the letter I sent to the APFA Board of Directors. Attached hereto and incorporated herein is a true and correct copy of the Facebook Statement that I made on June 3, 2020.
- e. Attached hereto and incorporated herein is my June 2020 activity record which reflects that I was on a Leave of Absence from American Airlines, Inc. from May-September of 2020. In the RMV column, the code "DU" is the code subscribed to employees enrolled in the Payroll Support Program on a Leave of

Absence. I was an inactive employee on a Leave-of-Absence and did not work for APFA at the time that I made the statement. I was paid by American Airlines, Inc. under the PSP (Payroll Support Program) during the peak of the Covid crisis.

- f. I have never accessed a personal travel history of another American Airlines, Inc. employee, nor do I have the access to another American Airlines, Inc. employee's travel history. To my knowledge, American Airlines, Inc. employees do not have access to travel records for other employees.
- g. I was the APFA Union Representative for Eugenio Vargas and Nena Martin during each of their APFA Disciplinary Arbitration hearings on charges brought by Melissa Chinery-Burns. Randy Trautman was a witness who testified on behalf of Eugenio Vargas and planned to testify on behalf of Nena Martin.
- h. On July 8, 2022, I received an email from Erik Harris, APFA National Treasurer informing me that an investigation was initiated into my financial documents and expenses for APFA over the last ten years. Attached hereto and incorporated herein is a true and correct copy of the email I received.
- i. On September 21, 2023, I was contacted by the Miami Base President, Randy Trautman, who informed me that he received an emailed complaint about me from a member. The complaint was about the public Facebook Statement that I made from June of 2020. The union member requested that Mr. Trautman speak to me about this Facebook Statement and request that I have it removed. On September 22, 2023, I requested that Mr. Trautman send me a copy of the original email he received from the APFA member. Attached hereto and

incorporated herein is a true and correct copy of the email I received from Mr. Trautman.

- j. During June of 2015 and May to September of 2020, I was not acting on behalf of APFA in any official capacity, nor was I paid by APFA.

FURTHER AFFIANT SAYETH NOT.

Heidi Morgan

Heidi Morgan

State of Florida
County of Highlands

SWORN AND SUBSCRIBED TO before me on this 25th day of September 2023.



Dixie L Hackworth

Notary Public, State of Florida

Dixie L Hackworth, Online Notary

Signer Heidi Morgan produced Florida DL, as identification along with multi-factor authentication and audio/video recording to be notarized online.

**Heidi Morgan**

June 3, 2020 · 🌐

...

I have been publicly silent thus far regarding the fact that we are using Atty. Joe Burns for negotiations. That doesn't mean I am indifferent about the situation. I became aware last week of the conflict of interest and wrote a letter to the BOD. I first called the President on Thursday and sent her (in advance) my letter that would go to the entire BOD if need be. Ms. Hedrick listened but was in complete disagreement with my perception of it being a conflict of interest. I'll admit to becoming on fire when speaking to her because the shock of her nonchalance made me feel like I was listening to the early stages of APFA's dissolution. With that...I sent the letter to the entire BOD. I recieved a written reply from only the DFW BP and had phone responses from STL BP and my BP (MIA). When this hit Facebook over the weekend I still remained quiet in the hopes Ms. Hedrick would consider involving the BOD in the situation. I spoke to the President one more time and she was adamantly opposed to doing anything about what I (and not she) perceived as a conflict of interest. Tuesday morning I sent my email to the EC. Here we are today...clearly, my slow and thoughtful approach to the situation has gotten me nowhere. Perhaps being an alarmist would have been a better reaction when a potential fox has been welcomed into the henhouse.

I am posting the short intro I sent to APFA Leadership and also the lengthy letter that was attached.

I don't know what else to do. I gave the President the opportunity to look at this through the lens of loyal APFA members. She has no interest.

I would like to know how Atty Burns is being paid. Are we paying him directly or are we paying AFA? (the union that wants to raid us). I haven't been able to get that answer.

I am asking all of you who give even the smallest s@\$ about APFA to write your Base President and let them know they have to do something.

My introductory Letter:

Board of Directors,

I am sending this not only as a rank and file member but also as long-time APFA advocate.

What is attached is my urgent letter to you, as the governing body of this union. Everything I have written comes from a 100% sincere place of protecting our union from both internal and external forces.

I have been in communication with Julie Hedrick a couple times in recent weeks. With those lines of communication open I gave her the courtesy of a phone call last night and also sent her this email at that time so she would know in advance what my message to the BOD would be. It was quite difficult for me to contain my "passion" (maybe outrage would also be an appropriate descriptive word) on this issue. I give her credit for listening to me when my opinion is concretely set.

Whatever your politics, whatever your previous opinion of me please read my letter and know that it comes from the heart of a person who will and has in the past, been willing to go to great lengths to protect this organization.

Heidi Morgan (formerly Kidwell)

My Full Letter to the APFA BOD:

To The APFA Board of Directors:

I am writing to the APFA BOD with an urgent plea for quick fact-finding and decisive action regarding an issue that is cause for grave concern for the APFA.

Not long ago I became aware of the fact that Joe Burns, attorney for AFA, is "on loan" to APFA for negotiations. As a long-time APFA Advocate and a 3-term BOD member as the Base President of DCA-D, I was asked how I felt about this. Knowing the challenges faced in the average negotiations process compounded by the state of our industry now, my reaction was "I may be OK with it but I need to know the cost to APFA". And when I say "cost" I am not referring to money. I am referring to the perspective of potentially allowing a fox in the henhouse of APFA.

AFA and its supporters (both internal at our union and external at other unions) have long said they want to card and take over our organization. I asked a few people whom I trust and most agreed that having this attorney overseeing our negotiations is ok, but we must be certain there is no conflict of interest and most certainly does not involve any internal collusion or indifference toward dual unionism.

Knowing this information about negotiations I was also told that it was rumored the gentleman was involved in a serious personal relationship with a member of our union, Melissa Chinery. Ms.Chinery is a Legacy LUS flight attendant and a known advocate for the displacement of APFA and vocal supporter of AFA. She consistently goes on the offensive of members of our leadership. Ironically, my first and only conversation with her was years ago, approximately 2014, when I was contacted by an LAA flight attendant asking me to help Ms. Chinery because she did not trust her Base President to file a dispute for her. I agreed to speak to Ms. Chinery. In my conversation with her I realized it was her desire to go after her Base President (PHL) for not representing her and considering it a lack of duty of fair representation. When I realized it was some effort to undermine a base president for political reasons I educated her on the process to file her own NOD and told her I would never be an advocate to go that route when I didn't have personal knowledge of the situation or the parties. Subsequently, I watched her trash our union and make consistent efforts to destroy our independent organization and anyone that stands in the way of AFA. This effort continued through multiple administrations and included the ridiculous red wagon that took up far too much of APFAs time and resources. So, for me, the thought of hiring an attorney seriously involved with this, or any other member with a well-known objective to displace APFA as our bargaining representative, is simply unconscionable.

While I sat on these issues for a short period of time they have since been confirmed by crews who have had them on board their flights with standby lists showing a shared PNR indicating he was traveling as either her registered companion or spouse.

I chose to believe the BOD knew nothing about this conflict of interest. Anyone who may have and did nothing to seek the truth and resolve the issue is, in my opinion, suspect of dual unionism.

I know quite a bit about this accusation of dual unionism. In 2012, as the Base President of LAA DCA-D I became concerned that our (then) President, Laura Glading, was working behind the backs of the BOD with Veda Shook to move to AFA-CWA. Because I had attended events with Ms. Shook in Washington D.C. I made a call to AFA's office to see if she indicated anything to cause alarm and fuel our concerns. After hanging up with me she called Laura Glading to let her know she had spoken to me and Glading used it as a weapon to accuse me of dual unionism. She rallied 2 Base Presidents who despised my politics to file Article VII charges against me. I was accused of willfully trying to displace APFA, when in actuality, my goal was and continues to be, to protect our organization and its independence.

Anyone who knows me knows I am steadfast in this objective, and I have never wavered. That said...there are some who will stop at nothing to attempt to neutralize those who stand in the way of being able to get what they want which includes those with a "creepy obsession" of others as they work at APFA.

To further complicate the dynamic, Ms. Chinery currently has 2 outstanding charges on the books at APFA. While Article VII states charges can be filed by any member in good standing filing them in a consistent effort to undermine the organization and its leadership is suspect especially when crafted by a member with a deeply-seated desire to destroy APFA.

Ironically, (without the usual amusement of irony) one of the former BOD members who charged ME with dual unionism is said to be assisting Ms. Chinery in her current charge(s). (the creepy obsession continues)

Article VII Section 1.B. states:

Section 1. GROUNDS FOR CHARGES:

Any member is subject to fine, suspension or expulsion, or suspension from or removal from office, for any of the following acts:

B. Advocating, or working toward, the displacement of the APFA as bargaining representative (providing that advocating, or working toward an affiliation, merger or federation of the APFA pursuant to Article XII of this Constitution shall not be grounds for discipline)

This reference very specific. It further references Article XII which states (in its entirety):

ARTICLE XII

AFFILIATIONS, MERGERS, FEDERATIONS OR CHARTERS

Section 1. Any action to affiliate, merge or federate the APFA with any other labor organization; or to issue a charter; or to organize an employee group (except as provided in Section 2 of this Article XII) to provide representation to that employee group for the purposes of the Railway Labor Act shall be subject to prior approval by: A. a two-thirds (2/3) majority of the Executive Committee, and B. a two-thirds (2/3) majority of the Voting Board of Directors, and C. an affirmative vote by a majority of those active members in good standing who return valid ballots.

Section 2. Any action to organize a Flight Attendant employee group that is employed by a subsidiary or affiliated airline owned and/or operated by American Airlines Group, or that is employed by an independently-owned airline that performs flying for or on behalf of American Airlines or American Airlines Group, to provide representation to that employee group for the

purposes of the Railway Labor Act shall be subject to prior approval by: A. a two-thirds (2/3) majority of the Executive Committee, and B. a two-thirds (2/3) majority of the Voting Board of Directors.

Section 3. Any agreement to affiliate, merge, federate, issue a charter, or to represent another employee group shall protect and preserve the APFA's right to autonomy in all of its actions; and shall protect and preserve the collective bargaining relationship between American Airlines and the Flight Attendant employees of American Airlines represented by the APFA.

This is where we find ourselves as an organization today...We have a member filing charges (which is within her right). This member is a known advocate to displace APFA as bargaining representative (also chargeable). She is involved in a serious relationship with the Attorney for the union known to have been salivating for years to raid our organization. We hired him for what will likely be the most critical negotiations in our organization's history. He will have, (may already have had) access to every detail of our finances and critical information about our organization. It is logical to consider it likely this attorney is also well-aware (by virtue of his personal relationship) of this member's charges, their verbiage, the desired remedies sought and their legitimacy (or lack thereof). All these considerations create such a dire conflict of interest that I must insist the BOD take action and investigate the validity of these circumstances and have a swift response to remedy the situation. This dynamic, as I believe it to exist, cannot be permitted to continue.

If a simple phone call by me to Veda Shook, in an attempt to protect APFA from AFA-CWA, was considered by a few to be suspect, the BOD cannot sit idly by and allow this abomination to go on and say/do nothing. I can tell you with certainty anyone LOYAL TO APFA should and will be appalled. Those sharing the desire to "tear APFA down brick by brick" may likely sit in silence after reading this or think it is no big deal. It will be glaringly obviously where one's loyalty lies. I have been on the sidelines of APFA for a couple months. I have stayed above the fray of politics and have enjoyed phones not ringing and days off really being days off. That said...when this information presented itself and began to compound I felt strongly that if, as a former BOD member and a base rep who knows better, I was complicit, I could well be an accessory to the slow, underhanded tear-down of my union from the inside. I refuse to allow it to happen while I watch.

As leaders you have been entrusted with preserving our organization and its autonomy in all its actions. Consider your moral compass and does it direct you to protect APFA or has it teetered in

a different (disloyal) direction? Carefully review the language in the Constitution and Policy Manual. Be certain you will be able to answer to your members when asked to justify your actions or inactions. Those members loyal to APFA will be watching and waiting.

Heidi Morgan MIA



Bob Ross, Kit Gomez Alba and 61 others

93 comments



Like



Comment



Send

Activity Sheet

PP004 MIA 056488 CREWMEMBER PRE/POST ACTIVITY REPORT MONTH STARTING 02JUN20 AND ENDING 01JUL20 PROCESS DATE 07/09/20
KIDWELL H 04821 056488 MIA 236- ASG 0 NNAV KIDWELL H 04821 056488 MIA 236- DOM
H 7039191665 ASG 0 NNAV H 7039191665 ASG 0 NNAV
RSVCOT DO 18P PNC 0.00 RSVCOT DO 18P PNC 0.00
PROJ 70.00 GTD 0.00 PPROJ 70.00 LANG 0.00 PROJ 70.00 GTD 70.00 PPROJ 70.00 LANG 0.00
PMAX 115.00 TTS MMAX 115.00 MTHLY FLEX 0.00 PMAX 115.00 TTS MMAX 115.00 MTHLY FLEX 0.00
GUAR ORIG 0.00 ADJ 0.00 PENDING N GUAR ORIG 0.00 ADJ 0.00 PENDING N
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AVBL SK 4.30 SK USED MTD 0.00 AVBL SK 13.30 SK USED MTD 0.00
TTL SK USED 1543.32 SK M/U 0.00 SK M/U MTD 0.00 TTL SK USED 1543.32 SK M/U 0.00 SK M/U MTD 0.00
SK RESTORAL 0.00 SK RESTORAL 0.00
LAST LAST

DD	ST	RMV	ADD	SEQ	FLT	FLT	SKED	STTL	ACT	GRTR	GTTL	DD	ST	RMV	ADD	SEQ	FLT	FLT	SKED	STTL	ACT	GRTR	GTTL
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03	61	DU		347	FA1	X38						03	61	DU		347	FA1	X38					
04	61	DU			RON							04	61	DU			RON						
05	61	DU			X39		0.00	0.00			0.00	05	61	DU			X39		0.00	0.00		0.00	0.00
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END OF ACTIVITY												END OF ACTIVITY											
												END OF COMMENTS											

Begin forwarded message:

From: randy trautman [REDACTED]
Date: September 22, 2023 at 9:54:51 AM EDT
To: "Heidi J. Morgan" [REDACTED]
Subject: Fwd: MIA Base Vice President

Regards,

Randy Trautman

Begin forwarded message:

From: [REDACTED]
Date: September 21, 2023 at 5:23:17 PM EDT
To: Randy Trautman [REDACTED]
Cc: Tracey Montanari [REDACTED]
Subject: Re: MIA Base Vice President

This was posted two days ago.

Someone is any being honest. Not certain it's Heidi or [REDACTED]

On Thursday, September 21, 2023, [REDACTED]
[REDACTED] wrote:

Randy~

Thank you for the reply.

A few points of clarification.

If Heidi (as she claims) did not give permission for her letter to be

re-posted, I would expect that Heidi will be in touch with the administrators of the FB pages where her post is visible and request the post be removed with an accompanying statement that she did not give permission for it to be re-posted.

As far as the perception of accessing another FA's (Melissa Chinery) travel profile, what safe guards are in place to ensure this has not and will not occur in future?

Once again thank you for your time and attention to the matter.

[REDACTED]

On Thursday, September 21, 2023, Randy Trautman

[REDACTED] > wrote:

I spoke with Heidi regarding the posts. She posted posted them 3.5 years ago when she was not in office. She told me that she did not give anyone permission to repost them this past week.

I remember when this went out to the BOD several years back and there wasn't any discussion amongst the BOD after it was sent.

Heidi knows I'm a strong advocate for Joe Burns as I have expressed this to her over the years. We are fortunate to have him lead the Team.

Whoever reposted this clearly has a political agenda and I can assure you Heidi was not behind it. She knows we are at a critical phase in negotiations and how important it is for our members to remain unified.

[REDACTED] please feel free to reach out to me if you have any further concerns.

Regards,

Randy Trautman
Base President

[REDACTED]

On Sep 21, 2023, at 1:27 PM, [REDACTED]
[REDACTED]@gmail.com> wrote:

Here's a series of screen shots. Keep in mind (apparently) Heidi gave permission for her post to be re-posted. Needless to say it's ended up on "C Juice" as administered by Rock Solomon, "Le AA FAs" as administered by Brian Hulbert who refuses to allow former LUS FAs on the page because he believes it's one of the LAX pages.

Heidi's words lend credibility to Brian Hulbert's diatribe.

Clearly, Heidi didn't make all these posts. But what Heidi did by giving permission for her words to go public, contributes to the hysteria.

To be clear, my main concern is with confidentiality and the clear perception of working against the best interest of our membership.

I would appreciate it if you could get back with me after speaking to Heidi. I do not want details about your discussion. I seek reassurance this behavior will cease. I hold the opinion that Heidi owes Joe Burns and the Negotiators an apology. I'm not certain what if anything can be done about her apparent breach in confidentiality.

Thank you for your time Randy. I know all too well how busy you and the rest of the BOD are these days.

[REDACTED]

On Thursday, September 21, 2023, Randy Trautman
[REDACTED]> wrote:

I'm unaware of any such posts or breaches of confidentiality. Could you please send me a copy of the posts you are referring to so I can review them.

I can assure you I fully support this Negotiating Team. I have nothing but admiration and respect for both Julie and Joe, and all the hard work and

dedication the entire team has put in to achieve a contract that sets the standard for the industry.

I will address the issue with Heidi once I'm in receipt of the posts.

Regards,

Randy Trautman
Base President
[REDACTED]

On Sep 21, 2023, at 11:57 AM,
[REDACTED] wrote:

Randy~

Hope this email finds you doing well.

As you know, I rarely reach out to you on Union issues. Thankfully, PHL has very good leadership and representation. You will see that Tracey Montanari is copied on this communication (as she is my Base President) and not the entire BOD. The goal is not to grandstand nor create a great debate among the members of the BOD.

It has come to the (public) attention that Heidi Morgan has engaged in what could be

considered a serious breach of confidentiality and trust in her role as an elected Union representative.

Additionally, in the last few days, Heidi gave her permission for another FA to post an outline of a conversation she had with the APFA National President, as well as a letter to the BOD which outlined her displeasure over using Joe Burns as our lead negotiator, among other concerns like the fallacy of AFA raiding APFA.

Randy, it is disgraceful for an elected union representative to assist management in discrediting the Union as well as our negotiations. As a former negotiator, you know first hand how much management depends on (potentially) subversive behavior of anyone within the Union, especially during mediated collective bargaining where the NMB is watching closely.

When a highly visible and very vocal Union representative goes public with their discontent over who's leading negotiations, management as well as the NMB question whether the Union truly is representing the will of the membership.

In her social media postings, Heidi admits her breach of confidentiality when she disclosed the details of a meeting regarding the possible representation of a FA (Melissa Chinery). Heidi provided details of their conversation on social media as well as providing her opinion on the character of the FA.

Randy, discussions with a FA related to possible representation is considered confidential.

As a MIA Base VP, Heidi speaks for you as well as APFA. Randy, please explain how a potential violation of Weingarten is considered acceptable. Is this Union weighing whether a FA who calls for representation; is a political adversary or someone who walks in lock step with their own personal political leanings in order to represent the FA's interests?

Additionally, please explain when it is acceptable for elected Union leaders to breach confidentiality, access another FA's travel records when the travel record is not the subject of possible discipline which results in a representational

meeting?

And finally, please outline the benefit and/or strategy of having an elected Union representative openly work against the membership at large when they attack the credibility of the lead Union's lead negotiator. The same lead negotiator you worked side by side during JCBA negotiations?

I am in possession of numerous screenshots which clearly shows Heidi Morgan's disregard for confidentiality as well as Union solidarity. Please advise if you are interested in reviewing the screenshots in question.

This email and any response will NOT be posted and/or shared on social media as it would be counter productive and serve no purpose other than to fan the flames that were set and torched by Heidi Morgan.

I look forward to your response.

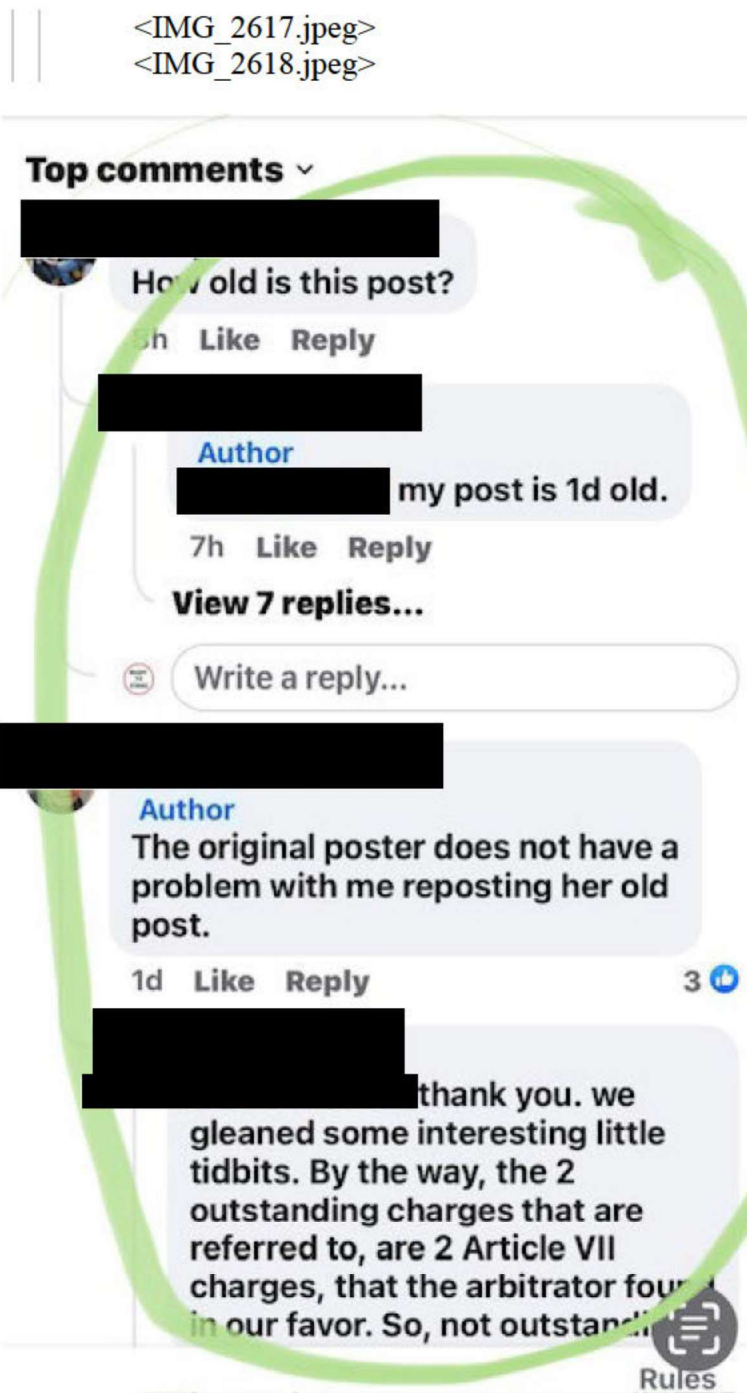
In Solidarity,

A large black rectangular redaction box covering the signature area.

<IMG_2614.jpeg>

<IMG_2615.jpeg>

<IMG_2613.jpeg>



From: Heidi Morgan
Sent: Friday, July 8, 2022 7:19 PM
To: Heidi J. Morgan
Subject: Fwd: Member Request to review Financial Information

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From: Erik Harris [REDACTED]
Sent: Friday, July 8, 2022 3:53 PM
To: Heidi Morgan [REDACTED]
Subject: Member Request to review Financial Information

Hi Heidi,

I am writing to give you a heads up that members Melissa Chinery and Sandra Lee have requested to review the following financial documents from 2012 to present. They are scheduled to view on August 22nd here at APFA Headquarters:

- Weeklies/Timesheets
- Monthlies/Expense Reports and Receipts

As always, please feel free to reach out to me should you have any questions or concerns.

Thanks,

Erik

--

Erik Harris *Pronouns: he, him, his*
National Treasurer
Association of Professional Flight Attendants

Office [REDACTED] Email [REDACTED]
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It is not to be shared, forwarded or posted without the author's written consent.*




of Professional Flight Attendants (“APFA”) since January, 1988. I am of sound mind and body to make this affidavit and have personal knowledge of the following facts:

- a. On October 12, 2022, I attended a union Disciplinary Arbitration for Article VII charges brought against me by APFA Member Melissa Chinery-Burns and APFA Member Sandra Lee, for violating APFA Policy based on making improper expenditures while in office as the APFA National Vice President. The result of this Disciplinary Arbitration hearing was a full dismissal of all charges brought against me.
- b. On August 9, 2023 I learned that the APFA Board of Directors had authorized an audit to be conducted of all of my expenditures while I held office as the APFA National Vice President under APFA National President Robert “Bob” Ross.
- c. On August 10, 2023 I had a telephone conversation with current APFA National Treasurer, Erik Harris to confirm the audit of my financial expenditures and it’s authorization by the APFA Board of Directors. He informed me that the Board of Directors directed this audit after a request made by two (2) APFA Members.
- d. I asked the APFA National Treasurer, Erik Harris, if the request for the audit was made by APFA Member Melissa Chinery-Burns and APFA Member Sandra Lee, and he confirmed yes.
- e. The audit request made by APFA Member Melissa Chinery-Burns and APFA Member Sandra Lee was for the expenditures of former APFA National Vice

President, Nena Martin and former APFA National Secretary, Marcy Dunaway,
both officers of the Robert “Bob” Ross administration.

FURTHER AFFIANT SAYETH NOT.


Nena Martin

SWORN AND SUBSCRIBED TO before me on this 25th day of September, 2023.




Notary Public, State of Missouri